

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration  
Submitted  
with Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

171136-00002

First Name and Inventor

McNAMEE, Ronan

**COMPLETE IF KNOWN**

Application Number

/

Filing Date

Concurrently

Art Unit

Examiner Name

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

AN IMPROVED FRYING APPARATUS

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
S2002/0561	Ireland	07/05/2002	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label		<input type="checkbox"/> OR <input type="checkbox"/> Correspondence address below	
<b>Name</b> Carl M. Davis II Baker Donelson Bearman & Caldwell			
<b>Address</b> Five Concourse Parkway, Suite 900			
<b>City</b> Atlanta	<b>State</b> GA	<b>ZIP</b> 30328	
<b>Country</b> US	<b>Telephone</b> (678) 406-8700	<b>Fax</b> (678) 406-8701	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
<b>NAME OF SOLE OR FIRST INVENTOR :</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name (first and middle [if any])</b> Ronan		<b>Family Name or Surname</b> McNamee	
<b>Inventor's Signature</b> <i>Ronan McNamee</i>		<b>Date</b> 12/6/03	
<b>Residence: City</b> Dartry	<b>State</b> Dublin	<b>Country</b> Ireland	<b>Citizenship</b> Ireland
<b>Mailing Address</b> 23 Temple Road			
<b>City</b> Dartry	<b>State</b> Dublin	<b>ZIP</b> 6	<b>Country</b> Ireland
<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name (first and middle [if any])</b>		<b>Family Name or Surname</b>	
<b>Inventor's Signature</b>		<b>Date</b>	
<b>Residence: City</b>	<b>State</b>	<b>Country</b>	<b>Citizenship</b>
<b>Mailing Address</b>			
<b>City</b>	<b>State</b>	<b>ZIP</b>	<b>Country</b>
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.			

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: McNAMEE, RonanApplication No./Patent No.: \_\_\_\_\_ Filed/Issue Date: ConcurrentlyEntitled: An Improved Frying ApparatusIrish Bakery Inventions Limited, a An Irish Company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

18/6/03  
Date

RONAN McNAMEE  
Typed or printed name  
Ronan McNamee  
Signature  
COMPANY SECRETARY  
Title

Please type a plus sign (+) inside this box → ☐

PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	
Filing Date	Concurrently
First Named Inventor	McNAMEE, Ronan
Title	An Improved Frying Apparatus
Group Art Unit	
Examiner Name	
Attorney Docket Number	171136-00002

I hereby appoint:

☐ Practitioners at Customer Number

OR

☒ Practitioner(s) named below:

Place Customer  
Number Bar Code  
Label here

Name	Registration Number
Carl M. Davis II	31,502
Robert B. Kennedy	24,294
Dorian B. Kennedy	36,840
Michael J. Powell	38,997

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

OR

Place Customer  
Number Bar Code  
Label here

<input checked="" type="checkbox"/> Firm or Individual Name	Carl M. Davis II				
Address	Five Concourse Parkway, Suite 900				
Address					
City	Atlanta	State	GA	Zip	30328
Country	US				
Telephone	(678) 406-8700	Fax	(678) 406-8701		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name	Irish Bakery Inventions Limited
Signature	<i>Ronan McNamee</i> RONAN MCNAMEE COMPANY SECRETARY
Date	18/6/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**DATED 26 JUNE 2002**

**(1) RONAN MCMCNAMEE**

**AND**

**(2) IRISH BAKERY INVENTIONS LIMITED**

---

**DEED OF ASSIGNMENT OF INVENTIONS**

---

**MATHESON ORMSBY PRENTICE  
30 Herbert Street  
Dublin 2  
Ireland**

**TEL + 353 1 619 9000  
FAX + 353 1 619 9010**

**BEST AVAILABLE COPY**

THIS ASSIGNMENT is dated 26 June, 2002 and made between

- (1) **RONAN MCNAMEE** 23 Temple Road, Dartry, Dublin 6 (the "Assignor") and
- (2) **IRISH BAKERY INVENTIONS LIMITED** a company incorporated under the laws of Ireland (registration number 350390) having its registered office at 23 Temple Road, Dartry, Dublin 6 (the "Assignee").

**RECITALS**

- A. The Assignor has agreed to assign on the terms set out herein certain intellectual property rights and to execute this Assignment.
- B. The Assignor wishes to assign the said intellectual property rights to the Assignee for the consideration set out in this Assignment.

**IT IS HEREBY AGREED** as follows:

**BEST AVAILABLE COPY**

**1 INTERPRETATION:**

- 1.1 In this Agreement the following terms shall have the following meanings:

**"Business Sale Agreement"** means the agreement between the Assignor, the Assignee executed on the same day as this Agreement, pursuant to which the Assignee agreed to grant the Assignor shares in the Assignee.

**"IPR"** means all patents, trade marks, services marks, trade names, logos, registered designs, applications for any of the foregoing, copyright (including all rights in the nature of copyright throughout the world, in any and all media, and including renewals, revivals and extensions thereof), design rights, database rights, rights of extraction and re-utilisation, sui generis rights, know-how, inventions, discoveries and trade secrets, together with all goodwill attaching or relating thereto, and any rights in the nature of moral rights existing therein, and whether such rights are registered or unregistered, and all rights of a similar or corresponding nature in any part of the world.

**"Inventions"** means the inventions detailed in the Schedule hereto, together with all IPR therein.

- 1.2 Headings are inserted for convenience only and do not affect the construction of this Assignment.
- 1.3 Unless the context otherwise requires, words importing the singular include the plural and vice versa, words importing the masculine include the feminine, and words importing persons include corporations.

**BEST AVAILABLE COPY**

- 1.4 Reference in this Assignment to writing or similar expressions includes where the context so admits transmission by facsimile or comparable means of communication.
- 1.5 Unless the contrary is clearly stated, references to Acts, statutory instruments and other legislation are to legislation operative in Ireland and to such legislation amended, extended or re-enacted (whether before or after the date hereof) from time to time, and include any legislation of which it is a re-enactment (whether with or without modification) and also include any subordinate legislation made from time to time under that legislation.
- 1.6 Reference to any document includes that document as amended or supplemented from time to time.
- 1.7 All indemnities, covenants, agreements and obligations given or entered into by more than one person are given or entered into jointly and severally.

**2 ASSIGNMENT:**

In consideration of the issue of shares in the Assignee to the Assignor pursuant to the Business Sale Agreement (receipt of and sufficiency of which the Assignor hereby acknowledges) the Assignor **HEREBY GRANTS, ASSIGNS AND TRANSFERS** absolutely and exclusively to the Assignee, all of his rights, title and interest in and to the Inventions together with all rights and powers rising or accrued therefrom including such rights to sue for damages and other remedies in respect of any infringement of the rights assigned by this Assignment, and including all his rights to apply for, prosecute and obtain a patent or like protection throughout the world for the Inventions embodied by any such application including the rights to claim priority from such applications.

**3 FURTHER ACTS AND ASSURANCES:**

- 3.1 The Assignor shall, at the request and expense of the Assignee, do all acts and execute all documents, instruments, matters, acts and things which may be necessary or desirable to confirm the title of the Assignee to the Inventions hereby assigned or to give effect thereto, whether in connection with any registration of such title or otherwise, and to effect fully the purposes, terms and conditions of this Assignment.
- 3.2 The Assignor hereby irrevocably appoints each director for the time being of the Assignee to be his attorney with full power and authority in his name and on his behalf to do all acts and execute all documents and instruments which may be necessary or desirable to confirm the title of the Assignee to the Inventions hereby assigned or to give effect thereto whether in connection with any registration of such title or otherwise and fully to give effect to the purposes, terms and condition of this Assignment.

**4 GENERAL**

- 4.1 This Assignment will be governed by and construed in accordance with the laws of Ireland, and the Irish courts will have exclusive jurisdiction in respect of it.

## BEST AVAILABLE COPY

### SCHEDULE A

#### Description of Processes

1. Inventions of improvements in and relating to dough handling apparatus (dough handling invention).
2. Inventions of an improved frying apparatus (submerged frying invention).
3. Inventions relating to a dough handling system incorporating improvements in:
  - (a) Scraper for hopper in cake doughnut transport system;
  - (b) Cleaning in Place System for cake doughnut transport system;
  - (c) Bowl transportation system between mixing room and elevator.



## BEST AVAILABLE COPY

IN WITNESS whereof the Assignor and the Assignee have caused this Assignment to be duly executed as a Deed on the date first herein written.

SIGNED, SEALED AND DELIVERED  
by the RONAN MCNAMEE  
in the presence of:

*Ronan McNamee*



Witness:

*Seamus J. H.*

Witness:

PRESENT  
when the COMMON SEAL of  
IRISH BAKERY INVENTIONS LIMITED  
was affixed hereto

Director:

*Jacqueline McNamee*

Director/Secretary:

*Ronan McNamee*

**DATED JUNE 2002**

**(1) RONAN MCMCNAMEE**

**AND**

**(2) IRISH BAKERY INVENTIONS LIMITED**

---

**DEED OF ASSIGNMENT OF INVENTIONS**

---

**MATHESON ORMSBY PRENTICE  
30 Herbert Street  
Dublin 2  
Ireland**

**TEL + 353 1 619 9000  
FAX + 353 1 619 9010  
MOP\_DUBLIN6243553**